

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday November 1, 1977 at 7:30 P.M.

Present: Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Jessie Tomlinson, Councilwoman

Also present: Peter S. Danowski, Jr., Town Attorney  
Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Supervisor Smith made the following statement: "Ladies and gentlemen, as a preliminary matter so I can then remove these two objects that are sitting here in front of me, some of you may know that there is a project that is part of our general downtown Riverhead improvement effort that calls for undergrounding of the overhead wires, of course, as you remove a substitute means of street lighting. We have been through a somewhat long course of events dating back approximately a year in attempting to get this project underway, and it looks like it will be next Spring.

Before us are the two choices of pole mounting. These I believe are four by four. The ones that will actually be used are six by six - the one to your right, my left has various choices of finish and if you turn it about, you can see the various choices of finish and this one on your left is fairly uniform. If you have any comments about the style or a choice, we'd appreciate knowing about it now because we're underway with this particular project and in the Spring we hope to see it accomplished. The natural question becomes - what about the light? If you want to see the light on your way out this evening, there is a demonstration light that is on the first pole on Howell Avenue. It won't be that kind of mounting, it will be a mounting that will sit on top of a pole such as the one on the left and we'd really like to see this thing get off the ground in the first of the year so if you've got comments, let's hear them now and we'll be into it next Spring.

I would also point out one of the public works projects - the Ostrander Avenue Sewer started a couple days ago - that's the first visible sign of about a half million dollars worth of public works money."

Councilman Menendez offered the following resolution which was seconded by Councilman Young

RESOLVED, That the Minutes of the Town Board Meetings held on October 4, 1977 and October 18, 1977 and the Minutes of the Special Town Board Meetings held on October 11, 1977 and October 20, 1977, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### BILLS

Bills were submitted on abstracts dated November 1, 1977 as follows:

General Town	\$12,801.27
Highway Item #1	\$69,232.01
Highway Item #3	\$ 1,345.11
Highway Item #4	\$ 139.50
Community Development	\$ 39.44
Special Districts	\$ 843.11

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That subject to complete audit, the following bills be approved for payment.

General Town	\$12,801.27
Highway Item #1	\$69,232.01
Highway Item #3	\$ 1,345.11
Highway Item #4	\$ 139.50
Community Development	\$ 39.44
Special Districts	\$ 843.11

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have present the various Department Heads. I would ask please because the budget meeting is tonight, ladies and gentlemen, stick around because if there are questions that relate to your particular department and your departmental requests, we can give adequate answers as the evening goes on."

#### REPORTS

Building Department, month of October, 1977      Filed.

OPEN BID REPORTS - Northwest Street Lighting -  
Contract No. 1

After being duly advertised the following bids for Northwest Street Lighting Contract No. 1 were opened by the Town Clerk on Thursday, October 27, 1977 at 11:00 A.M:

BROADWAY MAINTENANCE CORP.  
205 Sweet Hollow Road  
Old Bethpage, New York

A: \$125,580.00

Filed.

---

BUDIN CONTRACTING CORP.  
403 Oakwood Road  
Huntington Sta., New York

A: \$141,153.50

Filed.

---

HINCK ELECTRIC CONTRACTORS, INC.  
17 Fordham Road  
West Babylon, New York

A: \$131,595.00

Filed.

---

WELSBACH ELECTRIC CORP.  
19-49 42nd Street  
Long Island City, New York

A: \$147,749.70

Filed.

---

OPEN BID REPORT - PREFABRICATED METAL EQUIPMENT STORAGE  
BUILDING - Sanitary Land Fill Area

After being duly advertised the following bids for the prefabricated Metal Equipment Storage Building were opened by the Town Clerk on Monday, October 31, 1977 at 11:00 A.M:

STRATHMORE CONSTRUCTION CORP.  
3680 Route 112  
Coram, New York 11727

WORDS: Thirty Thousand Six  
Hundred Dollars

Base Bid to include:  
general cond. as indicated,  
concrete, metal bldg, erection  
insulation overhead door,  
electrical paint, complete  
as per plans of Spec.

NUMERALS: \$30,600.00

OPEN BID REPORT - PREFABRICATED METAL EQUIPMENT STORAGE  
BUILDING - Sanitary Land Fill Area -  
continued

Alternates:

We propose to complete the work, ready for final acceptance within 90-120 calendar days after notice of award.

Filed.

RJT CONSTRUCTION CORP.  
P. O. Box 683  
Smithtown, New York 11787

Base Bid to include:

WORDS: Thirty Thousand Nine  
Hundred Forty-Nine  
Dollars

NUMERALS: \$30,949.00

Alternates:  
underground elec. svc.

We propose to complete the work, ready for final acceptance within Ninety calendar days after notice of award.

Filed.

LUNDQUIST CONSTRUCTION CORP.  
Box 953  
Setauket, New York 11733

Base Bid to include:

WORDS: Thirty Three Thousand  
Three Hundred Dollars

NUMERALS: \$33,300.00

Alternates:  
underground electric

We propose to complete the work, ready for final acceptance within 60 calendar days after notice of award.

Filed.

AGWAY  
713 Pulaski Street  
Riverhead, New York 11901

Base Bid to include:

WORDS: Thirty-Five Thousand  
Dollars

NUMERALS: \$35,000.00

Alternates:

We propose to complete the work, ready for final acceptance within 90 calendar days after notice of award.

Filed.

PETITIONS

In the matter of the alternation of the boundaries between the Mastic Fire Department, Brookhaven, New York and the Manorville Fire Department, Brookhaven and Riverhead, New York. Filed.

78 Residents of Jamesport and South Jamesport, requesting "NO PARKING" and "TOWAWAY ZONE" signs to be placed south of Second Street on West Street and south of Front Street on South Jamesport Avenue and Point Street because of the mass intrusion on private properties of out-of-towners who leave behind garbage and debris. Filed.

Referred to Chief Palmer for a traffic study.

In the Matter of the placement of drainage area bounded by North Side Road, to the North and by Sunset Boulevard to the South and by property now owned by Gerda Kastl to the West and land owned by Alexander Horton to the East. The petitioners request relocation as outlined in certain drawings and to force the issue whereby the drainage area located in the almost center of a private property to move same area to the easterly line, etc. Filed.

Town Attorney advised Petitioner to contact the County of Suffolk.

ORDER

Butterfield, etc. etal vs. County of Suffolk Townships which includes Town of Riverhead. Filed.

Supervisor Smith stated: "Mr. Danowski is getting an extension of time on it."

NOTICE OF CLAIM

Lester Langhorne vs. Town of Riverhead, et al - \$50,000.  
Copy to Insurance Broker and Town Attorney.

Richard Clarry vs. Robert White, James E. Zaleski,  
Police Officers of the Towns of Southold and Riverhead - \$1,000,000..  
Copy to Insurance Broker and Town Attorney.

COMMUNICATIONS

George P. MacKenzie, dated 10/20/77. Making request for removal of five Pine trees by Town Supt. of Highways. Trees are located between road and town property line. Filed.

Referred to Alex Horton, Supt. of Highways.

Filed  
Filed

COMMUNICATIONS - continued

John Wittmeier, dated 10/19/77. Requesting street light installation of LILCO Pole #11 on West Lane, Aquebogue, located at the entrance to the Aquebogue Mobile Home Court Extension. Filed.

Referred to Councilwoman Tomlinson.

Edward Knobler, dated 10/24/77. Making second complaint of sidewalk adjacent to the west wall of the Edward Archer building and directly opposite Riverhead Grill. Said sidewalk is badly in need of repair. There is an especially hazardous hole at the southern most end of this walk directly below the rear entrance to his store. One woman has already fallen because of this condition. Filed.

Referred to Councilman Lombardi.

Stephen Grodski, Chairman Lions Christmas Parade, dated October 24, 1977. Extending a cordial invitation to the Town Board to help celebrate the coming of Christmas Season by taking part in the Annual Parade to be held on Sunday, December 4, 1977. The line of march will start at Osborne Avenue at West Main Street and proceed east on Main Street to the Town Parking lot entrance by Edward Archer's Store and the Riverhead Grill. The parade starts at 1:00 P.M. and it is suggested that all participants be in their place no later than 12:45 P.M., as the parade starts at 1:00 P.M. sharp. Filed.

Town Clerk to advise that Board members and Town Attorney will participate.

Two communications from Town of Southampton:

1. Advising of adoption of Amendment to Zoning Ordinance No. 26 relating to layout of subdivision lots in the Tidal Flood Plain Overlay District.
2. Advising of adoption of Amendment to Zoning Ordinance No. 26, relating to transfer of permitted development rights from property owned by applicant in Flanders to a proposed subdivision on Pleasure Drive in Flanders. Filed.

Suffolk County Department of Planning, dated October 24, 1977. Two Communications:

1. Relating to adopted Amendment to Town of Southampton's Zoning Ordinance No. 26 relating to layout of subdivision lots in the Tidal Flood Plain Overlay District. Filed.

COMMUNICATIONS - continued

2. Relating to adopted Amendment to Town of Southampton's relating to transfer of permitted development rights.

If any objections, they must be received by November 9, 1977. Filed.

Michael A. Giordano, President of St. Isidore's Parents Club, dated 10/26/77, asking any help the Town Board can give in getting a school crossing guard for St. Isidore's School, for the reason that there is a dangerous situation mornings and afternoons when school is dismissed. There are parents picking up their children and there are children walking home. The children walking are crossing the street in front of the school without any help. Filed.

Sister M. Cecilia, Principal, St. Isidore's School, dated 10/28/77, advising that the children who walk and must cross Marcy Avenue now have their parents transport them to school and the Parent's Club of the School has raised the question of the feasibility of having a crossing guard. The services would be required at 8:00 to 8:30 A.M. and 2:20 to 3:00 P.M. She thanks the Board for their kind attention to this matter. Filed.

Supervisor Smith stated: "Miss Block it's been done two days ago. We have a guard there."

Syd Askoff, Esq., October 27, 1977, asking that the decision on the Application of the A & P for a Special Permit to replace existing ground sign be held in obedience until such time that he can determine what if any problems there are and seek a possible remedy. He further states that he was not given any notice of the Public Hearing. Filed.

Town Clerk advised that she generally calls Attorneys connected with matters of this nature, but she did not see any mention of an Attorney in this file.

Supervisor Smith then stated: "As I explained to Mr. Askoff, when I was in the private practice, I didn't rely upon anybody else to look after my clients. So he wants a new hearing, we'll give him another hearing. But I don't think it's your mistake, Miss Block."

Miss Block: "No it isn't. His name is not in the file. I didn't know he was connected with the petition."

Alex E. Horton, Supt. of Highways, dated 10/31/77, stating that as Supt. of Highways, Town of Riverhead, he agrees to maintain the following existing and currently traveled

COMMUNICATIONS - continued

Midway Drive off Northville Turnpike - a distance of approximately 1000 ft. in length and 50 ft. in width. The roads need grading, drainage, patching and oiling.

Further that this consent is made pursuant to Section 8 of the Town Board rules of the Town of Riverhead and is subject to the approval by the Town Board. Filed.

Supervisor Smith then stated: "On that topic, Miss Block, we further have a letter before us this evening from Myron Young with reference to the Beverly Hills Subdivision. It is very much similar to the letter that you have heard read, and is in the form that Mr. Horton has submitted other letters on Timber Park and other locations.

Mr. Young is 80 years plus young and I would extend to him the courtesy if there are any questions of him with reference to this letter that they be posed now. If not, we can - among other things Mr. Young does not like to drive at night and it is requested if there are no questions that he may leave. Is there any question of Mr. Young about his letter?"

There being no questions, the Town Clerk read the letter dated October 28, 1977 as follows:

The Town of Riverhead, through the Office of the Superintendent of Highways of said Town of Riverhead, County of Suffolk, New York, agrees to maintain the existing and currently traveled roads at Beverly Hills, Wading River, New York, to the following extent:

Section I: Eastern Portion of Sunset Boulevard,  
300' x 50' in width  
East Road, 300' x 50' in width  
Cross Road, 300' x 50' in width

Section II: South Road, 2,000' x 55' in width  
Gladys Drive, 600' x 55' in width  
Rita Court, 350' x 55' in width

These roads need grading, drainage, patching and oiling.

The roads at Beverly Hills, Wading River, New York - Section I are set forth on Map No. 2800 filed in the Office of the County Clerk on February 26, 1958, and Section II on Map NO. 723191 dated October 31, 1972.

This consent is made pursuant to Subsection 8 of the Town Board Rules of the Town of Riverhead for the opening of Highway, and is subject to the approval by the Town Board of Riverhead. Myron Young. Filed.



PERSONAL APPEARANCES

Supervisor Smith stated: "We have a Special Permit here on for 8:00 with reference to the application by Harry Byron Stevens for a lumber yard at Calverton, New York. We have ten minutes between then and now. I would, therefore, recognize anyone that wishes to address the Town Board on any matter if you have not spoken before the Town Board before, please step forward to the microphone and give your name and address to Miss Block."

Lois Reeve, 132 Sound Avenue, Riverhead; "On behalf of East End Arts and Humanities Council and it's Staff and it's hundreds of members I would like to present to you this check which represents the profits from a fund raising affair that the Council held a week and a half ago to show our appreciation for your support and enthusiasm in what the Arts Council is trying to do in Riverhead."

Town Clerk: "What is the amount of the check?"

Lois Reeve: "\$500.00." (applause)

Supervisor Smith: "Thank you, ma'am."

Dr. Alfred Smith, Northville Civic Association; "Last August we wrote a letter to the Board suggesting that they put a snow fence up on Penny Lane because we have an awful lot of problems up there during the snow season and I think it would be to the advantage of the Town to save money by putting snow fences there. I suppose it was filed, I don't know. I wondered if anything has been done. I see they're getting ready to put snow fences on the west side of Northville Turnpike and I wonder if there's going to be anything done about that."

Supervisor Smith: "Mr. Horton?"

Alex E. Horton, Supt. of Highways: "Yes."

Gisela Egner, Administrative Director of the East End Mental Health Project; "We are planning to open a Counseling Center in Riverhead within the next couple of weeks and we would like to ask the Town Board's support by either providing us with space or helping us financially in some other way. At this point we are serving clients from Riverhead in our offices in Southampton and in Mattituck and the same here in Riverhead would make services available to people of Riverhead. The center is going to be mainly for adolescents abusing drugs and we'd really appreciate anything you could do for us."

Supervisor Smith: "How much."

PERSONAL APPEARANCES - continued

Gisela Egner: "Well can you provide some space for us, if not maybe with the rent."

Supervisor Smith: "Five cents, five thousand, fifty thousand. Give us an idea. There's no harm in asking."

Gisela Egner: "Okay. I located a space which would cost \$150.00 a month."

Supervisor Smith: "And have you been speaking to Mrs. Tomlinson on this one?"

Gisela Egner: "Yes."

Supervisor Smith: "We'll continue the conversations that way, okay?"

Gisela Egner: "Okay. thank you."

Robert Pekar, Calverton; "The last couple weeks ago when we had a lot of rain driving down, many of the roads in Calverton, in Riverhead - the roads were not only covered with water, but they were covered with small rocks. Half of the farm fields were flowing in the roads. Now driving around looking around, I see that a good many of the farmers plow their fields right to paved road. A lot of this is probably not part of their farm as a right-a-way, but it would seem to me that if there was a buffer zone four feet or so between the plowed fields and the paved roads a buffer zone that was left in grass, then we wouldn't have this problem of the rocks and what have you flowing on the road and being left there. Besides this, the tractors as they pull onto the road they're destroying many of the roads and if there isn't an ordinance, I think there should be."

Supervisor Smith: "Well Mr. Pekar part of the problem that you see is occasioned at this time of the year by turning the combine around. It's a large vehicle - larger than the cultivators and the rest of that and I don't know that four feet would gain anything. I think maybe, Mr. Nohejl, is here this evening and he might carry back to the members of the Bureau the concern that's voiced this evening and assured of Police Officers spending all their time, this time of year arresting farmers who are trying to get their potatoes out of the ground."

Robert Pekar: "Well is there a Town Ordinance that says that you are not supposed to plow right to the road or is there any such ordinance?"

Supervisor Smith: "No sir."

PERSONAL APPEARANCES - continued

Robert Pekar: "So in other words, right now they can plow right up to the road, up to the pavement and there's nothing wrong with it."

Supervisor Smith: "I don't say that there's nothing wrong with it Sir, I say there are certain practical considerations that are in here. They can't destroy the roads, there are ordinances, not ordinances and laws against such things, but we'll consider what you have to say and I think maybe the practical solution is to speak to some of the men in the Farm Bureau and see if we can get some cooperation in situations such as this."

Supervisor Smith recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice calling Public Hearing on the matter of the application of Harry Byron Stevens for a non-nuisance industry special permit to operate a lumber yard and building supply materials and supplies storage area at Calverton, to be held on November 1st, 1977 at 8:00 P.M.

The affidavits were ordered to be placed on file.

Supervisor Smith explained as follows: "This relates to the already established building supply facility that is immediately north of the railway track on Edwards Avenue. Harry Byron Stevens came to us to convert the existing structures there to a lumber yard. This is an application to further extend that use to an adjoining parcel and structures thereon.

Is there anyone present who chooses to address the Town Board on that topic for or against?"

Richard Carey, Middle Road; "A point of information. This is for an expanded piece of property. Is this the property - the Krouse property to the north."

Supervisor Smith: "Yes. It's Bobinski's old barn and the parcel immediately to the north."

Richard Carey: "It was Bobinski's and then the other parcel right directly to the north."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:01 P.M., and re-opened the meeting.

Supervisor Smith: "We come back to that portion of the agenda up until the budget hearing time, which will be in fifteen minutes where we will listen to anybody that wishes to address the Town Board on topics of their choosing."

No one responded at this time.

RESOLUTIONSAUTHORIZES PREPARATION OF DUTY STATEMENT FOR TWO POSITIONS  
IN HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Supervisor, in conjunction with the Highway Superintendent, be, and he hereby is, directed to prepare a Duty Statement of Civil Service for two (2) positions in the Highway Department to be classified as Automotive Equipment Operators.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith talked to Alex Horton, Superintendent of Highways on the matter of snow fence bids.

RESCINDS RESOLUTION, REJECTS BID AND AWARDS BID FOR SNOW  
FENCE - TOWN OF RIVERHEAD HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, On October 18, 1977, the Town Board did award the bid contract for snow fence to Local Steel & Supply Co., and

WHEREAS, The Town Board has received said award and specifications submitted by the lowest bidder, and

WHEREAS, The Town Board finds that the specifications as submitted were not in conformity with the Notice to Bidders with attached documents, including specifications

NOW, THEREFORE BE IT RESOLVED, That the bid of Eastern Wholesale Fence Co., Inc., be rejected and the resolution awarding the bid to Local Steel and Supply Co., adopted by the Town board under date of October 18, 1977, be and is hereby rescinded and the contract is hereby awarded to Chemung Steel Corp., who met the contract specification in the Notice to Bidders.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

AWARDS BID NORTHWEST STREET LIGHTING CONTRACT NO. 1

The Town Clerk announced Resolution #16 - Awards Bid Northwest Street Lighting Contract #1.

Supervisor Smith explained as follows: "The Northwest Street Lighting Contract No. 1 is part of the million seven hundred thousand dollars public works program as those who have attended regularly know. The Long Island Lighting Company is by rate structure getting out of the street lighting business and Southold, Southampton, etc., ourselves included have to pick up the slack. The Broadway Maintenance Corporation is the low bidder and has complied with various affirmative action requirements of this award."

RESOLUTIONS - continued

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the bid for Northwest Street Lighting Contract No. 1, be and is hereby awarded to Broadway Maintenance Corp., 205 Sweet Howell Road, Old Bethpage, New York 11804, in conformance with the notice to bidders bid specification documents and low bid thereon in the amount of \$125,580.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

AWARDS BID PREFABRICATED METAL SANITARY LANDFILL AREA

Supervisor Smith explained as follows: "We're currently storing some of our machinery outside a public works project. This particular contractor who is the low bidder has yet to be cleared by the Economic Development Administration, but subject to compliance with all the terms and conditions with reference to affirmative action."

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the bid for the Prefabricated Metal Sanitary Landfill Area at Young's Avenue, be and is hereby awarded to Strathmore Construction Corp., 3680 Route 112, Coram, New York 11727, in conformance with the notice to bidders bid specification documents and low bid thereon in the amount of \$10,600.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

CALLING PUBLIC HEARING IN REGARD TO THE PROPOSED AMENDMENTS TO THE TOWN OF RIVERHEAD

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board has reviewed various portions of the Code of the Town of Riverhead and find that certain amendments should be proposed to be adopted, after a public hearing to be held by the Town Board.

NOW, THEREFORE, be it

RESOLVED, That the Town Clerk publish the following Notice of Public Hearing with regard to proposed amendments to the Code of the Town of Riverhead.

PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held in the Town Hall, 200 Howell Avenue, Riverhead, New York on November 15, 1977 at 8:15 P.M. to hear all interested persons with regard to the following proposed amendments to the Code of the Town of Riverhead.

RESOLUTIONS - continuedWith respect to Section 52-6, Application for Building Permit.

By adding the following new underlined words to the already existing paragraph:

- A. - No person, firm or corporation shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion or change in the nature of the occupancy of any building or structure, or cause the same to be done, without first obtaining a building permit, separate and distinct from the required by the Zoning ordinance, from the Building Inspector for each such building or structure, except that no building permit shall be required for the performance of ordinary repairs which are not structural in nature, and which do not exceed \$750.00 in total cost. An application for building permit is not required where there is no change in the perimeter of an existing structure which is being repaired, improved or remodeled at a cost not exceeding seven hundred and fifty dollars (\$750.00) nor for such kinds, types and methods of repairs, improvements and alterations as the Town Board shall specify from time to time in regulations adopted by said Board by resolution applicable to this chapter. The Building Inspector may waive the requirement for a building permit only in reference to those non-structural ordinary repairs, which exceed the sum of seven hundred and fifty dollars (\$750.00).

RESOLUTIONS - continuedWith respect to Section 108.3; Definitions.

## A. Special Permit, which currently reads as follows:

Special permits for special permitted uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions. Special permits of the Town Board shall be valid for one (1) to three (3) years, as specified in the Town Board's resolution. The Town Board, under these provisions and any further rules or requirements of the Planning Board of the Town of Riverhead, requires the following data and information as a basis for approving a special permit.

## A. Special Permit, shall be amended to read as follows with new material underscored.

a) Special permits for special permitted uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions. Special permits of the Town Board shall be for whatever duration decided by the Town Board, and as specified in the Town Board's resolution. If the Town Board fails to specify a period of time, said period shall be, in perpetuity.

b) In addition, the Town Board may condition the permit, by requiring that the applicant, actually, begin use and complete construction or use requirement in compliance with the conditions imposed by the Town Board, within a time period from one (1) to three (3) years decided by the Town Board and set forth in the resolution granting said permit. If the Town Board fails to specify a period, said period shall be one (1) year.

Amending Section 108-17 (A); Lot Area.

- A. No single-family dwelling shall be erected or converted on a lot having an area of less than twenty thousand (20,000) square feet and a width of less than one hundred (100) feet ~~without a water supply system or sewerage system approved by the Suffolk County Department of Health; where such approved water supply or sewerage system exists, the lot shall have a width of at least one hundred (100) feet and a minimum area of fifteen thousand (15,000) square feet.~~  
 \* and amending the Zoning District Use Schedule as to the minimum lot area (sq. ft.) as to Residence C - ~~by deleting the words "See §108-17 and adding the words twenty thousand (20,000)."~~

\*Changes or additions in text are indicated by underlining or strikeouts.

By adding the following words to Section 108-56 N. (1) Shopping Center Signs.

Each business establishment name shall occupy no more than ten (10) square feet in total area.

By adding the following new Section 108-56 (P), Directional Signs.

Definition: Any off premise sign indicating the name of any business within the Township, mileage to the premises, and directional indicator (arrow, or words "east", "west", "south", or "north").

All directional signs within the Town, shall be of the same size, material, height, color, as determined by the Town Board.

Only one directional sign shall be allowed per applicant, unless the Town Board, upon a showing of undue hardship allows one additional directional sign. Under no circumstances shall more than one additional sign be allowed.

Under no circumstances shall directional signs be located within one (1) mile of each other, nor shall any two signs be located along, on, or by the same highway, street, or road.

The application fee shall be ten (10) dollars.

All applications shall be submitted to the Town Board, who after considering the necessity for such directional sign, shall grant or deny a special permit for the erection of such a sign.

All such signs shall be set back not less than twenty-five (25) feet from any side line and fifteen (15) feet from the front and rear property line.



RESOLUTIONS - continued

By amending Section 103-64.1 (E); Maintenance of screening or buffer facilities.

Said paragraph currently reads as follows:

- (1) Any land that is or has been designated or required to be a screening area or buffer area pursuant to an approval by the Town Board, Planning Board or Zoning Board of Appeals of any grant of an application for a change of zone, variance or site plan approval or which is required by ordinance or local law must be maintained by the owner of the property or any of the owners, successors in interest or assignees.

Said paragraph shall be amended to read as follows with new material underscored.

- (1) (E) Maintenance of screening, buffer facilities or paved areas.

Any land that is or has been designated or required to be a screening area, buffer area or paved areas pursuant to an approval by the Town Board, Planning Board or Zoning Board of Appeals of any grant of an application for a change of zone, variance or site plan approval or which is required by ordinance or local law must be maintained by the owner of the property or any of the owners, successors in interest or assignees.

Said paragraph currently reads as follows:

- (2) When it is determined by the Town Board that any land is not maintained pursuant to such grant or ordinance, the Building and Zoning Department shall notify the owner of record of such land, by registered mail to the address shown on the last preceding assessment roll, to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening pursuant to the plan or ordinance.

Said paragraph shall be amended to read as follows with new material underscored.

- (2) When it is determined by the Town Board that any land is not maintained pursuant to such grant or ordinance, the Building and Zoning Department shall notify the owner of record of such land, by registered mail to the address shown on the last preceding assessment roll, to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening or paved areas pursuant to the plan or ordinance.

RESOLUTIONS - continued

Said paragraph currently reads as follows:

- (3) In the event that the owner of record does not comply with the notice within thirty (30) days of the date of said mailing, the Building and Zoning Department may take the appropriate action to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening on the designated land. The Building and Zoning Department shall certify by affidavit the costs incurred either by the Department or otherwise to the Town Board. The Town Board shall, by resolution, instruct the Town Clerk to publish a public notice that a public hearing will be held for the purpose of adding to the assessment roll of the described lot or parcel the costs incurred and that, at the public hearing, the Town Board will hear and consider any objection which may be made to such roll. The publication of such notice shall not be less than ten (10) days before the time specified for such hearing. The Town Board, after public hearing, may then cause such assessment to become a lien and may direct the Town Assessor to place it on the assessment roll.

~~Said paragraph shall be amended to read as follows with new~~  
material underscored.

- (3) In the event that the owner of record does not comply with the notice within thirty (30) days of the date of said mailing, the Building and Zoning Department may take the appropriate action to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening or paved areas on the designated land. The Building and Zoning Department shall certify by affidavit the costs incurred either by the Department or otherwise to the Town Board. The Town Board shall, by resolution, instruct the Town Clerk to publish a public notice that a public hearing will be held for the purpose of adding to the assessment roll of the described lot or parcel the costs incurred and that, at the public hearing, the Town Board will hear and consider any objection which may be made to such roll. The publication of such notice shall not be less than ten (10) days before the time specified for such hearing. The Town Board, after public hearing, may then cause such assessment to become a lien and may direct the Town Assessor to place it on the assessment roll.

By adding new Section 108-64.2 - Building Storage..

No building as defined in Section 108-3, including mobile vehicles, shall be used for storage purposes, unless all sections and provisions of this Code are adhered to. Specifically excepted from this paragraph are mobile vehicles used for temporary loading and unloading purposes, which are removed from the premises within five (5) days from their arrival date.

Section 108-73 (C). Permits, which currently reads as follows:

All applicants must be acted upon by the Zoning Officer within three (3) working days from the date of receiving the application.

Said section shall be amended with new material underscored as follows:

All applicants must be acted upon by the Zoning Officer within five (5) working days from the date of receiving the application.

With respect to Section 108-96 D (1).. Application and Fee.

Said Section currently reads as follows:

A letter of application, together with the requisite number of copies of the sketch plan for minor subdivision or the subdivision plan of minor subdivision, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting.

Said paragraph shall be amended to read as follows, with new material underscored.

A letter of application, together with the requisite number of copies of the sketch plan for minor subdivision, or the subdivision plan of minor subdivision, shall be submitted to the Planning Board at least fourteen (14) days prior to a regular meeting for consideration at that meeting.

RESOLUTIONS - continued

With respect to Section 108-97 (1), (2), and (3). Application and Fee.

1. Said paragraph currently reads as follows:

Sketch plan. A letter of applicatinn, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration of the sketch plan shall be accompanied by a ree of fifty dollars (\$50.)

Said paragraph shall be amended to read as follows, with new material underscored.

Sketch plan. A letter of application, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board at least fourteen (14) days prior to a regular meeting for consideration at that meeting. All applications for the consideration of the sketch plan shall be accompanied by a fee of fifty dollars (\$50.)

2. Preliminary plat. which currently reads as follows:

A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. All applications for the consideration of a preliminary plat shall be accompanied by a fee of five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has been submitted, or shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has not been submitted.

3. Said paragraph shall be amended to read as follows, with new material underscored.

Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board at least fourteen (14) days prior to a regular meeting for consideration at that

RESOLUTIONS - continued

preliminary plat shall be accompanied by a fee of five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has been submitted, or shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has not been submitted.

3. Final plat, which currently reads as follows:

A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. The fee for final subdivision shall be waived unless a subdivider submits the final plat together with data required for preliminary plat, in which case the application shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision.

Said paragraph shall be amended to read as follows, with new material underscored.

A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board at least fourteen days (14) prior to a regular meeting for consideration at that meeting. The fee for final subdivision shall be waived unless a subdivider submits the final plat together with data required for preliminary plat, in which case the application shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision.

RESOLUTIONS - continuedWith respect to Section 108-97 F.

1. By adding the following new paragraph:

108-97 F (5) Engineering Fee. Prior to final subdivision being granted, the applicant must post engineering fees in the amount of \$50.00 per lot to cover any potential expense to the Town for engineering services. Said fee shall be retained by the Town until such time that the Town Board, by resolution, agrees to release any portion of said fees not expended by the Town. Any portion of the fee expended for engineering services with regard to the subdivision in question shall not be refundable.

By adding new Section 108-97 (24); Street Lighting.

The following specifications must be met:

Street light standards, brackets and the necessary wiring for street lighting systems shall be installed on all residential subdivisions.

Prior to the commencement of such installation, plans of proposed lighting layouts prepared by a licensed Professional Engineer shall be submitted to the Planning Board and no work shall be commenced prior to approval by the Planning Board.

The plans submitted, reviewed, and approved shall pertain to the location and spacing of the street lights and location of

RESOLUTIONS - continued

All wiring, splices, conduit, and workmanship shall be in accordance with the National Electric Code and the requirements of the National Board of Fire Underwriters, and the Long Island Lighting Company.

Prior to acceptance by the Town, a National Board of Fire Underwriters' Certificate shall be secured and submitted to the Town.

All work on the street lighting systems shall be performed by, and tested by Electricians licensed by the County of Suffolk.

Lighting layouts shall be designed to provide a generally even level of illumination based on the use of 175 watt, Colonial type, mercury vapor luminaires spaced approximately 125 to 150 feet apart with a 15 foot mounting height. Approximately ten standards per circuit is recommended for the layout.

Lighting standards shall be wood laminated poles, fully waterproofed with adhesive as defined in Commercial Standard 253-63.

Poles are to be pressure treated with pentachlorophenol in light hydrocarbon solvents to protect the wood from decay and insect damage. Treatment shall conform to AWWA Standards C28-69, P8-64 and P9-69. Standards shall be as manufactured by Weyerhaeuser under Catalog No. 15S, or approved equal. A manufacturer's warranty shall be provided, guaranteeing replacement in case of decay and/or insect damage within the 20 year period.

Arms and mounting brackets shall be provided and shall be as manufactured by Weyerhaeuser under Catalog No. A-2 or approved equal.

Wire and cable for circuitry shall be direct burial, copper, Type RR-USE or XLP-USE with a minimum gauge of AGW#6.

RESOLUTIONS - continued

Cable shall be buried a minimum of 18" below finished grade and conduit shall be provided under all areas to be paved. Wire in poles shall be copper RR-USE or XLP-USE minimum gauge AGW#12. A 12" x 12" concrete monument box shall be provided and installed at the base of each pole for splicing.

By adding new Section 108-100; Animals.

It shall be unlawful, even where permitted in any use district, for an area of one acre to be occupied by more than one horse.

By amending the Zoning Use District Schedule by adding the following underlined words.

Bus. A<sup>8</sup>  
(Article VII)  
except Residential Use



## RESOLUTIONS - continued

## FLOOD DAMAGE PREVENTION ORDINANCE

## SECTION 1.0

## STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

## 1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New York has  
(state)

in Town Law Sec. 130 delegated the responsibility to  
(statutes)

local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Therefore, the Town Board of Town of Riverhead,  
(governing body) (local unit)

State of New York does ordain as follows:  
(state)

## 1.2 FINDINGS OF FACT

(1) The flood hazard areas of Town of Riverhead are subject  
(local unit)

to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in flood plains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise protected from flood damages.

## 1.3

## STATEMENT OF PURPOSE

It is the purpose of this ordinance, to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains;
- (6) To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and,
- (7) To insure that potential home buyers are notified that property is in a flood area.

## 1.4

## METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities.

RESOLUTIONS - continued

- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters.
- (4) Control filling, grading, dredging and other development which may increase flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unaturally divert flood waters or which may increase flood hazards to other lands.

---

SECTION 2.0DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the Building Dept.  
(local administrator)

interpretation of any provision of this ordinance or a request for a variance.

RESOLUTIONS - continued

"Area of shallow flooding" means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one of to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

"Breakaway walls" mean any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or any other suitable building material which are not part of the structural support of the building and which are so designed as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.

"Coastal high hazard area" means the area subject to high velocity waters, including but not limited to, hurricane wave wash or tsunamis. The area is designated on a FIRM as Zone V1-30.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

RESOLUTIONS. - continued

"Mobile home" means a structure, transportable in one or more sections which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

"New mobile home park or mobile home subdivision" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

"Sand dunes" mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of construction" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor

RESOLUTIONS - continued

does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation.

For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

"Structure" means a walled and roofed building that is principally above ground, as well as a mobile home.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) before the improvement or repair is started, or

RESOLUTIONS - continued

"Existing mobile home park or mobile home subdivision" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this ordinance.

"Expansion to an existing mobile home park or mobile home subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Hazard Boundary-Floodway Map and the water surface elevation of the base flood.

"Mean sea level" means the average height of the sea for all states of the tide.

RESOLUTIONS - continued

- (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:
- (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, or a historic landmark as determined by the Landmark's Preservation Commission.
- "Variance" is a grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

## GENERAL PROVISIONS

## SECTION 3.0

## 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of Town of Riverhead  
(local unit)



RESOLUTIONS - continued

## 3.2. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the Town of Riverhead., " dated September 1, ,1977,  
(local unit)

with accompanying Flood Insurance Rate Maps and Flood Boundary Map effective March 1, 1978

~~and the same~~ are hereby adopted by reference and declared to be a part of this ordinance.

## 3.3. COMPLIANCE

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

## 3.4. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions.

However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## 3.5. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements.

(2) Liberally construed in favor of the governing body.

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

## 3.6

## WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Town of Riverhead or by any (local unit) officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

## SECTION 4.0

## ADMINISTRATION

## 4.1

## ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. Application for a Development Permit shall be made to the Planning Board on forms (local administrator)

RESOLUTIONS - continued

furnished by him and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.
- (2) Elevation in relation to mean sea level to which any non-residential structure has been floodproofed.

---

(3) Plans showing how any nonresidential floodproofed structure will meet the floodproofing criteria of Section 5.2-2 and after the structure is built, a certification by a registered professional engineer or architect that the structure as built meets the criteria of Section 5.2-2

---

- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(5) Plans for any walls to be used to enclose space below the base flood level.

4.2. *all caps* Designation of Building Department  
(local administrator)

The Building Department is hereby appointed to administer and  
(local administrator)

implement this ordinance by granting or denying development permit applications in accordance with its provisions.

RESOLUTIONS - continued

## 4.3-2 USE OF OTHER BASE FLOOD DATA

When base flood elevation data has not been provided in accordance with Section 3.2, Basis for Establishing the Areas of Special Flood Hazard, then the Building Department (local administrator) shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 5.2, <sup>Specific</sup> ~~Special~~ Standards!

## 4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

(1) Verify and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures.

(2) For all new or substantially improved floodproofed structures

(i) verify and record the actual elevation (in relation to mean sea level), and

(ii) maintain the floodproofing certifications required in Section 4.1 (3).

(3) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.

RESOLUTIONS - continued

- (4) Maintain for public inspection all records pertaining to the provisions of this ordinance.

## 4.3-4 ALTERATION OF WATERCOURSES

State Department of  
Environmental  
Conservation \*  
(state coordinating)

- (1) Notify adjacent communities and the  
prior to any alteration or relocation of a watercourse,

and submit evidence of such notification to the Federal  
and the Conservation Advisory  
Council of the Town of  
Riverhead.  
Insurance Administration.

- (2) Require that maintenance is provided within the

altered or relocated portion of said water course  
so that the flood carrying capacity is not diminished

## 4.3-5 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

## 4.4

## VARIANCE PROCEDURE

## 4.4-1

## APPEAL BOARD

RESOLUTIONS - continued

- (1) The Zoning Board of Appeals as established by  
(appeal board)  
Town of Riverhead  
(local unit) shall hear and decide appeals  
and requests for variances from the requirements of this  
ordinance.
- (2) The Zoning Board of Appeals shall hear and decide appeals  
(appeal board)  
when it is alleged there is an error in any requirement,  
decision, or determination made by the Planning Board  
(local administrator)  
in the enforcement or administration of this ordinance.
- (3) Any person aggrieved by the decision of the  
Zoning Board of Appeals or any taxpayer may appeal such decision  
(appeal board)  
to the State Supreme Court  
(name of appropriate court)  
as provided in Article 78 Civil Practice Law and Rules of State  
(statute) of New York
- (4) In passing upon such applications, the  
Zoning Board of Appeals shall consider all technical  
(appeal board)  
evaluations, all relevant factors, standards specified  
in other sections of this ordinance, and:
- (i) the danger that materials may be swept onto  
other lands to the injury of others;
  - (ii) the danger to life and property due to flooding  
or erosion damage;

RESOLUTIONS - continued

- (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a waterfront location, where applicable;
- (vi) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (vii) the compatibility of the proposed use with existing and anticipated development;
- (viii) the relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
- (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

(xi) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(xii) generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

(6) The Building Department  
(local administrator) shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

4.4-2

#### CONDITIONS FOR VARIANCES

(1) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, and the Landmark's Preservation Commission of the Town of Riverhead without regard to the procedures set forth in the remainder of this section.



(2) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(4) Variances shall only be issued upon:

(i) a showing of good and sufficient cause,

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or as identified in Section 4.4-(4), Appeal Board, victimization of the public or conflict with existing local laws or ordinances.

(5) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation no less than feet below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

RESOLUTIONS - continued

## SECTION 5.0

## PROVISIONS FOR FLOOD HAZARD REDUCTION

## 5.1

## GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required:

## 5.1-1

## ANCHORING

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (2) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
  - (i) over-the-top ties be provided at each of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side;
  - (ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side;

RESOLUTIONS - continued

- (iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and,
- (iv) and additions to the mobile home be similarly anchored.

## 5.1-2 CONSTRUCTION MATERIALS AND METHODS

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
  - (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  - (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and,
  - (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

RESOLUTIONS - continued

## 5.1-4

## SUBDIVISION PROPOSALS

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of 50 lots or 5 acres.

## 5.1-5

## ENCROACHMENTS

The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

## 5.2

## SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2. Basis for Establishing the Areas of Special Flood Hazard or Section 4.3-2

Use of Other Base Flood Data, the following provisions are required:

RESOLUTIONS - continued

New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

## 5.2-2

## NONRESIDENTIAL CONSTRUCTION

New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 4.3-3(2).

## 5.2-3

## MOBILE HOMES

(1) Mobile homes shall be anchored in accordance with Section 5.1-1(2).

(2) For new mobile home parks and subdivision; for expansions to existing mobile home parks and subdivisions; for existing mobile home parks and subdivisions where the

RESOLUTIONS - continued

repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or subdivision require:

(i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

(ii) adequate surface drainage and access for a hauler are provided; and,

(iii) in the instance of elevation on pilings, that:

--lots are large enough to permit steps

--piling foundations are placed in stable

soil no more than ten feet apart, and

--reinforcement is provided for pilings more than six feet above the ground level.

(g) No mobile home shall be placed in a coastal high-hazard area, except in an existing mobile home park or an existing mobile home subdivision.

RESOLUTIONS - continued**5.3 COASTAL HIGH HAZARD AREA**

Coastal high hazard areas(V Zones) are located within the areas of special flood hazard established in Section 3.0 . These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash, therefore, the following provisions shall apply:

**5.3-1 LOCATION OF STRUCTURES**

- (1) All buildings or structures shall be located landward of the reach of the mean high tide.
- (2) The placement of mobile homes shall be prohibited, except in an existing mobile-home park or mobile-home subdivision.

**5.3-2 CONSTRUCTION METHODS****(1) ELEVATION**

All buildings or structures shall be elevated so that the lowest supporting member is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 5.3-2(4).

RESOLUTIONS - continued

## (2) STRUCTURAL SUPPORT

(i) All buildings or structures shall be securely anchored on pilings or columns.

(ii) Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads of the base flood flow.

(iii) There shall be no fill used for structural support.

## (3) CERTIFICATION

Compliance with the provisions of Section 5.3-2 (1) and 5.3-2 (2) (i) & (ii) shall be certified to by a registered professional engineer or architect.

## (4) SPACE BELOW THE LOWEST FLOOR

(i) Any alteration, repair, reconstruction or improvements to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls are used as provided for in Section 5.3-2 (4)

(ii) Breakaway walls shall be allowed below the base flood elevation provided they are not a part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used.



RESOLUTIONS - continued

(iii) If breakaway walls are utilized, such enclosed space shall not be used for human habitation.

(iv) Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Building Department for approval.  
(local administrator)

**5.3-3 SAND DUNES ~~AND SWT ~~SPRINGS~~~~**

There shall be no alteration of sand dunes ~~or swt ~~springs~~~~ which would increase potential flood damage.

Copies of the proposed amendments are available for inspection at the Town Clerk's office during normal business hours.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "The text of the proposed amendments will be published in the newspaper and you will all be able to read it. It is the culminative effort of about six months of work of what we call the Joint Board - some of our problems with the zoning ordinance."

CALLS PUBLIC HEARING CONCERNING PETITION TO ALTER  
EXISTING BOUNDARIES OF FIRE DISTRICTS

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, The duly elected fire commissioners of the Manorville Fire District, Town of Riverhead and Brookhaven, Suffolk County, New York, and the Mastic Fire District, Town of Brookhaven, Suffolk County, New York, have petitioned this Town Board pursuant to Town Law section 172-a, to alter their respective fire districts, in accordance with a petition with

RESOLUTIONS - continued

the following exhibits filed with this Town.

NOW, THEREFORE, be it

RESOLVED, Pursuant to Town law that the Town Clerk is hereby authorized to publish and post a Notice of Public Hearing concerning said Petition to Alter the Existing Boundaries.

PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held on November 15, 1977 at 8:00 P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with respect to the Petition of the Board of Fire Commissioners of the Manorville Fire District and the Mastic Fire District pursuant to Town Law section 172-A to alter the existing boundaries between the Manorville and Mastic Fire Districts by adding to the Mastic Fire District and deleting from the Manorville Fire District the premises described hereinafter.

Beginning at a point on the division line between School District 21 on the east end School District 12 on the west, at the intersection of said line by the division line between School District 32 on the south; thence the following courses and distances of that portion now of the Manorville Fire District within the Town of Brookhaven:

- 1) Northerly for a distance of 5,000<sup>±</sup> feet along the division line between School District 21 on the east and School District 12 on the west, generally along the westerly boundary of the Maps of Shirley, Long Island, Unit "G", Shirley, Long Island, Unit "M"; and Shirely, Long Island, Unit "T", filed in the Office of the Clerk of Suffolk County, respectively on August 10, 1951 as Map No. 1852; on June 1, 1954 as Map No. 2215 and on April 10, 1959 as Map No. 2940, to the center line of Moriches or Yaphank Middle Island Road;
- 2) Thence continuing easterly along the center line of the Moriches or Yaphank Middle Island Road to its intersection with the center line of Weeks Avenue;
- 3) Thence northwesterly along said center line 5,850<sup>±</sup> feet to a point on the center line of Weeks Road;
- 4) Thence southerly along said center line 2,950<sup>±</sup> feet to a point on the Dongan Line;

RESOLUTIONS - continued

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

AUTHORIZES SUPERVISOR TO TAKE NECESSARY STEPS TO EFFECTUATE THE ESTABLISHMENT OF A CREDIT UNION FOR RIVERHEAD TOWN EMPLOYEES

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, It has come to the attention of this Town Board that numerous employees of the Town of Riverhead have requested that the Town participate in a credit union, and

WHEREAS, This Town Board has reviewed documents supplied to it by the Suffolk Federal Credit Union.

NOW, THEREFORE, be it

RESOLVED, That the Supervisor is hereby authorized to take whatever steps are necessary to effectuate the establishment of the availability of the Suffolk Federal Credit Union for those employed by the Town of Riverhead.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

LEASE AGREEMENT BETWEEN LONG ISLAND CABLEVISION CORPORATION & RIVERHEAD SUPERVISOR FOR USE OF ANTENNA SITE

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, That the Town Supervisor is hereby authorized to enter into a lease agreement between Long Island Cablevision Corporation and the Town of Riverhead for the use of the Long Island Cablevision Corporation's Antenna Site.

Before roll call vote, Supervisor Smith made the following comment: "We have difficulty with radio communication with the cars that operate in Wading River on the Police Force. We have improved the qualities of the radios that are in the vehicles in recent months, but we still find that even with stronger higher wattage radios, there are dead areas in the Wading River Area. We are being supplied with space on the Long Island Cablevision Tower and this should eliminate that particular problem."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - continued

Richard Carey, Middle Road, Riverhead; "For me to stand up here - with some minor exceptions to look at this budget in ten minutes is impossible. I have reviewed it to some extent, but I'm sure it would take a couple of days plus several questions to clarify it, because it's quite an entire document.

Incidentally, I'm sure you're aware it's 25 pages longer than last year's. I'm rather interested to note some of your titles - I love that one on page 79 anti-recession - I like that. I didn't realize that we were going to stop the recession. And then I like the little blurb on page 88 that we're getting Federal Reserve Sharing not Federal Revenue Sharing."

Supervisor Smith: "The code and the title for CF3120 is selected by the State Comptroller and it's the label that the Federal Government put on it and I apologize for the typing error."

Richard Carey: "I have a few questions and a few comments. I would like to have you tell me - what is this transportation administration?"

Supervisor Smith: "That is Mr. Horton and his Secretary. Under the State Law for whatever the historical context, the Highway Superintendent appears in the General Town Fund together with his Secretary and his men appear in the Highway Fund."

Richard Carey: "I would like to make a suggestion in the future that when you list personnel service, which is in practically every item here, that you list the number of people involved. It's very difficult to try to look this thing over and you see some substantial increases, you can only presume that it means more people. So I would like to suggest you do that in the future.

If you compare these figures with the last actual, which is 1976 actual, you certainly can't compare with 1977 budget, because we have no knowledge of whether you spent that money or not. There are some very substantial increases. As I look at the five of you people sitting there, and look at 100 pages of figures, I have to say that we are very much dependent on you in the construction of this budget, and hopefully you have been most careful in the manner in which you are going to spend our money. I am considerably surprised in several areas, particularly in your personnel services in several places of substantial increases. In the last two years, sometimes as much as 60 and 65% increase from the '76 actual to your proposed '78 preliminary budget, which seems to me quite high.

Now, I know we don't have time to go through all

PUBLIC HEARING - continued

those items, as to why they're that way, whether there is some particular area that you people would want to comment on - I don't know. I noticed that you don't list the salaries this year. You've done it last year and I think in the 1974 budget, they listed everybody in the whole Town, which I thought was a pretty good idea, at least to have some of those items. I would like one question. Where do we get the money to pay the seventh squad? Where is that in this budget?"

Supervisor Smith: "It's your County Tax Levy. It's not in this budget."

Richard Carey: "It's not in our budget."

Supervisor Smith: "No Sir."

Richard Carey: "The County Tax Levy against the Town of Riverhead."

Supervisor Smith: "Yes Sir."

Richard Carey: "As a separate item."

Supervisor Smith: "As Supervisor, I will receive from Mr. Ross, Mr. Hernandez the levy for the school. I receive budgets from Fire Districts, etc. These are all forwarded to the County and a County warrant is also prepared and eventually gets reduced to the rather substantial warrant that is signed by the Tax Receiver."

Richard Carey: "\$14,800,000 in round figures."

Richard Carey: "I noticed that we are listing several items which I would consider to be normal operating expenses of the Town and picking up income to off-set those costs through federal sharing."

Supervisor Smith: "Yes Sir."

Richard Carey: "This is particularly true of one large item - is part of the police budget."

Supervisor Smith: "Yes Sir."

Richard Carey: "One of the major ones, but then there are some others in there, which involve projects which I think are fine, however, we're still paying the bill ourselves, even though it's federal money, it's our own money and I wouldn't want anybody to assume that it was just free money for us. But I think this is a rather dangerous situation."

PUBLIC HEARING - continued

We've had some experience in the School District, as you're aware, where there was Title I and Title II monies made available and certain programs were established and then those funds were no longer available to support those programs and consequently they dropped back into the school budget.

Here we are sort of borrowing time with these federal funds applied against some of our current operating expenses and if the federal government decides that - Congress decides that they're not going to allow us to use these funds for those purposes. We could be up against a rough situation and I would hope that we would be very careful about that and I believe there's quite a few personnel around this Town Hall and throughout the Town that are really being supported through these federal funds. You know it's almost too bad you couldn't have them wear a different kind of clothing so we'd know who they all are because again I think a lot of us will assume certain services are incorporated in our own budget and actually they're not.

At a future date, we might have some real severe problems. I caution you about this. I'm sure you're well aware of it, but it could be a very dangerous precedent being established. Do you have any comments you wish to make on it?"

Supervisor Smith: "You are correct and that is what I said in the budget message with reference to the five police officers, contrary to last year we changed the format on that a little bit, but it's still a hundred thousand dollars of cost if the force were to be maintained at it's current staffing levels these problems would occur, yes."

Richard Carey: "Where did you find \$150,000 that you got in income? I noticed your contingency fund was \$300,000 last year and you're only putting \$100,000 for this year. Although I noticed you have a slight item of \$50,000 for litigation in the Town Board expenses."

Supervisor Smith: "We had 70 this year."

Richard Carey: "Did you spend it all?"

Supervisor Smith: "We're going to come close."

Richard Carey: "This is just for lawyers fees or is this for settlements."

Supervisor Smith: "No, no. Let's deal with the 70 first. Among other things to achieve certain results such as we have achieved, with the million seven hundred

PUBLIC HEARING - continued

thousand dollars in public works. It is necessary to front in certain expenses such as land surveys. Certain preliminary drawings of Mr. Dennis for school projects. Some preliminary matters in Townwide Lighting. The proper label of that account is litigation experts, etc., something of that nature without looking at it.

Now you want to go to the \$150,000."

Richard Carey: "I can't find that page. Where is that income page?"

Supervisor Smith: "Forty. Fund Balance. As you will recall, that you were intimately involved with it when we prepared last year's budget. You were sitting up here and I was sitting down there as an arbiter. We had at that time, the fact-finders award as of March 1st and a fifty-man police force."

Richard Carey: "I couldn't even remember the name of the public arbitrator tonight."

Supervisor Smith: "Miss Evelyn Brandt."

Richard Carey: "Yes, it was. I remember it now."

Supervisor Smith: "Yes it was. I don't forget it. And as we prepared the budget message in the year 1976 for the year 1977, we made several comments about preparing a budget that could enable us to pay for the total award for the total force. You may recall that. Now, if, in fact, Miss Brandt, essentially, Miss Brandt, although you and Mr. Walker were involved in that, had handed down her decision in those two months between the months of November and December 1976. We would have been paying probably in excess of the appropriated funds for personal services on the police line in the tax year or budget year 1976 as it occurred, we paid those sums not retroactively to March, but we paid retroactively to November and we paid them in the tax year - budget year 1977. What I stated in the Budget Message was that if any portion of those funds was not used, there were several uses that could be made of the funds, they could be used to do projects that had been previously sacrificed to pay police salaries or they could be set aside in a fund balance to reduce taxes in the year 1978."

Richard Carey: "That's where it is?"

Supervisor Smith: "And that's where it is."

Richard Carey: "Good answer. It took a long while, but it's a good answer. I'll back off."

PUBLIC HEARING - continued

Supervisor Smith: "Anyone else on the budget?"

Kenneth Ross, Pine Street, Aquebogue; "Probably an easy question for the Accountant. It's just a term that I'm not familiar with and I thought that I knew most budget terms."

Supervisor Smith: "You ask me, I'll ask him."

Kenneth Ross: "Mr. Supervisor, under various accounts under receipts, you use the expression that I don't happen to use in our budget so it's perhaps just a misconception on my part - not knowledgeable of this area. You use the term appropriated fund balance throughout your budget, in the various departments as a receipt is this unexpended funds of this \_\_\_\_\_"

Supervisor Smith: "Unexpended funds. As we close out the year 1977, we use our best estimate of any moneys that would be unexpended at the close of the year and this is our best guess."

Kenneth Ross: "Thank you very much."

Supervisor Smith: "Everyone I would hope understands that the budget process is the best educated guess that someone can get for the subsequent year.  
Anyone else on the budget?"

Emma Karch: "I'm glad we had some people tonight. They didn't ask the questions I wanted to know. It was mentioned that you didn't name salary - you didn't give the salaries. However, on the Town Board, you had an increase of \$16,000. Is that an increase of salaries?"

Supervisor Smith: "No ma'am. If the Town Council wished an increase on salary, they must publish it in a notice, and it was not published."

Emma Karch: "Well what is this figure?"

Supervisor Smith: "We have been making good advantage of Miss Rita Peters as a Ceta Employee. You've been around her a little bit. I think maybe you might concur, in fact, that before we lose her to some other jurisdiction, we better hire her as one of our own and that salary increase reflects a salary and benefits for that employee."

Emma Karch: "Well I read - I mean you're the only one that got the increase. I think maybe you deserve it from my remarks at the school budget - I mean there are 62 teachers who earn more than \$23,000. However, I mean that's



PUBLIC HEARING - continued  
a funny way to put it in your budget - showing that increase, going from \$35,000 to \$51,000.

Now another thing in your financial report for the year. How much income do you get from the cablevision corporation franchise tax? Roughly,"

Supervisor Smith: "It is not a large amount. Less than \$1,000."

Emma Karch: "You mean we have less cablevision here. Southold for 1976 reported \$8,740. This sounds picky, but you know I just look for these things because the next thing you know cablevision will be wanting an increase or something and — ."

Supervisor Smith: "Fine and if we charge them a franchise tax, I'm very certain that they would be in here quick and crank it into the rate structure. Now a judgment was made by prior Town Boards to keep the franchise cost law. The cablevision franchise will expire next year and I'm sure that you can address it at that time. The income might be nice but then again the user ends up paying for it."

Emma Karch: "Well it's a little difficult. At that time when we had the problem Mr. Jones did say that they had to pay the franchise tax."

Supervisor Smith: "They do."

Emma Karch: "What do you charge. I think he did tell me, but you know at those times I wasn't putting things down. I don't know the right - but he thought it was a bit of amount and it had something to be considered in raising their service charge. Since I'm a senior citizen - we have our own economic assistance and opportunity department."

Supervisor Smith: "Again the State Comptroller has amended his rules and regulations with reference to where we account for the nutrition program. It used to be, we accounted for the nutrition program under that portion of the recreation budget dealing with senior citizens. They have now established a separate account code 677 for the nutrition program. Your Senior Citizen programs are sprinkled throughout the budget in different places."

Emma Karch: "How can that be?"

Supervisor Smith: "I argue with the State Comptroller, and how it accounts for things on a number of items, but there is the nutrition program, there is the senior recreation program and there is the senior transportation program and they are

PUBLIC HEARING - continued  
accounted for in three separate areas and total approximately \$100,000."

Emma Karch: "You've been putting adult recreation with the senior citizens - the senior citizens don't go playing the softball and the other stuff - you know, but that's all right you do that."

Supervisor Smith: "I believed that if you wanted to say 65 years and up on the recreation end of that item, there's approximately 15,000 Stanley, if you added salaries and supplies and everything else in."

Emma Karch: "Adult is 21 only."

Supervisor Smith: "21,000."

Emma Karch: "\$85 this year. To go back to that other source about the nutrition program. It's going to cost the Town money this year or are you going to try to decrease the deficit that you've been carrying."

Supervisor Smith: "All right - that's like when did you stop beating your wife."

Emma Karch: "Suppose I go this way."

Supervisor Smith: "No, no. I know what you're saying and I'll answer it. We have had a continuing problem with nutrition and reimburseable. Let's say \$10,000 or \$15,000 of the \$55,000 is non-reimburseable. We inherited some deficits and we have not gained on them."

Emma Karch: "And you found that that program is worth-while."

Supervisor Smith: "I believe that is a collective judgment of the Board, yes."

Emma Karch: "Much to a lot of other people disagreeing - I mean I thought we went over this. I mean I hope you cleaned up everything that was going on there."

Supervisor Smith: "I try."

Emma Karch: "I'm not here to be funny."

Supervisor Smith: "I know Emma."

Emma Karch: "But wherever you go, and it's being dumped with the Senior Citizens in with the Nutrition Program, I think I've said this over and over that people that deserve

PUBLIC HEARING - continued

to go don't go and the people that are being fed every-day and whatever else, are the ones that don't need it. And this is not just the money part of it and yet if you think it's worth-while, I don't know."

Supervisor Smith: "Well Doctor Menendez is - let's put it this way. As far as the program goes, Doctor Menendez has on the Town Board supervised the program aspects of it and I tell you that Mr. Hansen and Miss Fuchs have been attempting to supervise the accounting function. So Doc will take care of the program aspect."

Councilman Menendez: "Emma may I make a comment before you leave. Four years ago, we started that program. It was true there were people coming to that Nutrition Program in Cadillacs and it was discouraging. The Senior Citizens have every right to say that the people who weren't supposed to be there were coming. But it's a different story today. I don't know if you've been down there recently or not for the past year . . ."

Emma Karch: "Only one thing comes through the park - their bus."

Councilman Menendez: "Well you go down to that place any noon and you take a look at who's in there and you'd see between 80 and 85 people who to them is the one big event of the day is to go to the Senior Citizens Nutrition Program. That's the only thing they look forward to all day. They get all dressed to the teeth and they have one hot meal and some companionship for about an hour or so - those who can't make it are given a ride. Some people have the hot meals taken to their homes, so they are fed. I think it's probably the best program we have going in this Town."

Emma Karch: "Well maybe I'll have to go again because. . ."

Councilman Menendez: "I wish you would Emma."

Emma Karch: "I only went once and I'd say there were 80 people there and in looking around, I think I saw maybe only five that should have been there."

Councilman Menendez: "Well you go there now, and you'll see about 85 who need to be there. Otherwise they're just dying on a vine."

Emma Karch: "Well why do the calls go around and people say you better go or we'll close down - we have to get more people or we'll be closed down. I'm just telling you the truth."

PUBLIC HEARING - continued

Councilman Menendez: "Well you saw it four years ago - go down and look now."

Supervisor Smith: "We'll have a special invite between you and Doc to go."

Councilman Menendez: "I'll treat you to dinner down there Emma."

Emma Karch: "No, thank you."

Supervisor Smith: "Anyone else on the budget?"

Dr. Alfred Smith made an inquiry on Northville Road Improvement District.

Supervisor Smith: "It's a bond for road improvements, Sir."

Dr. Alfred Smith: (Inaudible)

Supervisor Smith: "Do you recall it, George."

Councilman Young: "It's a development about half way up Northville Turnpike and they created a road district to pay, and it paid for their own roads through this bond - off of Northville Turnpike."

Supervisor Smith: "Anyone else on the budget?"

Wickham Tyte, Riverhead: "Mr. Carey brought up some very - I thought very good points. As you look at this thing as it's dumped in your lap, about a minute before the budget hearing goes, you're not going to talk very intelligently about it because it's too complex and to that end, I believe that we could borrow an idea from a school budget. Maybe I'm not supposed to be in love with school budgets, but they do have one thing which I think is pretty good.

And that is this, over a period of years, we finally got them to break down the personnel salaries not by name. I would have liked to have had it by name - they finally came to the point where each year in their budget they have a schedule on one page that shows seniority, raise in pay that's built in possibly and, of course, in that case as they get more education, they get increasing salaries, but it does break it down also if you analyze their budget, they will take an area like administration, an area like the people who maintain the premises, and they'll tell you how many men or women work in each one of these and they'll break down the average salaries."

PUBLIC HEARING - continuedWickham Tyte continued:

"As I say once more without naming people and I think the people of Riverhead would be very happy if they knew, for instance how many people run in each department. In other words, how many people it takes, for instance, in the Town Clerk's Office, in the Justice Offices, in the Police Force, in the maintenance of the property, such as semi-janitor service, that type of thing and know exactly how much personnel is involved - what their total salaries amount to each, so that from year to year they could compare it and see if a certain department maybe went up to double number of people running it or maybe the same number of people running it and they get twice as much salary - I mean the total comes to twice as much, but these things they can analyze quickly and say either you're being a spend thrift or you're being economical and they can kind of bite into that and know what it's all about.

But in this particular thing, anybody who gets up and challenges it, out of a clear sky is kind of stupid because you don't know what it's all about and you have to study it. In fact, I would say whoever prepared it, they spent hours and hours and hours of study into this, and the most a citizen can do is have a synopsis."

Supervisor Smith: "Mr. Tyte, maybe I can help out if I may for a moment. The notice that Miss Block prepares invites anyone who would like to, to come in and get a copy of the budget in advance. I realize some difficulties with the format. Part of the format problem is occasioned by the format being dictated by the State Comptroller. What you are asking for, I think we can give you and Mr. Carey. You are looking for the salary scales, I believe under the several contracts of employment that we have between ourselves and Civil Service Employees Association and the Riverhead PBA and that I can give you. Mr. Hansen will give you and Mr. Carey and anybody else that wants a copy."

Now, arithmetically, the cost of living negotiated index for the CSEA is reflected in these figures, but the arithmetic increase for the PBA cost of living increase is not reflected or 6%. The CSEA Contract is based on September to September. PBA is based on December to December."

Wickham Tyte: "Well that pretty much answered my questions and I merely suggest as another year comes up, you can't do too much about this but a sort of a synopsis or as we say it's a salary break down is incorporated in an extra page or so on your multi-page document and I do get a chuckle out of when I come here I find out it reminds me of a thing — man bites dog — I find out that you're liable to set in a few thousand dollars at my suggestion and for that to be, if the budget ever had a number of thousand dollars stuck in for recreation from Wick Tyte is very much like man bites dog instead of dog bites man."

PUBLIC HEARING - continued

Supervisor Smith: "Does anyone else choose to address the budget?"

Richard Carey: "You are adding — how many new employees are added in our budget here."

Supervisor Smith: "New employees are incorporated in this budget. Miss Peters under the Town Board Budget, two automotive equipment operators in the Highway Budget, a Purchasing Officer and Town Engineer.

We have a secretary to the Town Attorney at the moment - we are transferring funds from one point to another to pay her salary so she would be reflected in this budget.

Yes, we're abolishing some part-time positions in the Receiver's Office and creating a full-time clerk in that office."

Richard Carey: "I don't understand this page 10 - buildings - personnel services went from 15 actual last year 25 budget this year and I don't know what you spent and now you're budgeting 35. Well that's got to be just people, isn't it?"

Supervisor Smith: It is people. The major person there is Mr. Scheiner - Oh buildings - you had one custodian in the year '76, we had a clerk of the works. We occupied the building on March 1, 1976 - we kept the clerk of the works on through June - July of 1976 and we hired one custodian. We have this year, two, the day man and the night man and they are both negotiated for in the CSEA Contract and the last person is a messenger."

Richard Carey: "You can run through this one several areas. For example in your Town Attorney Office you go from on actual - that's page 8 - \$19,000 you're going to \$37,000. You must have chopped somebody's ears because the department estimate was \$45,000."

Supervisor Smith: "That's Mr. Danowski's idea of humor. I think he put a budget request in for a \$30,000 salary - I don't think he's going to get that."

Richard Carey: "Is there more personnel there or is that just . . ."

Supervisor Smith: "That's the secretary and himself. We could, it depends upon how much we pay Danowski next year."

Richard Carey: "Just one last thing. I noticed I got budgets for four or five years and I notice we continue to carry many items which I feel are let's say - used by rather few people and yet we still carry them and I wonder how well you people evaluate a particular program and a service on a yearly basis."

PUBLIC HEARING - continued

Supervisor Smith: "I'll give you two examples. The VFW renting rooms for the Veterans - an item of \$500 - Miss Block - \$600. \$600 is a State allowed item. Now if you are not a disabled Veteran, you may not care about such things, but there is a constituency that does care about such items.

Another one, for instance, is a small item that deals with Civil Defense, while . . ."

Richard Carey: "I can think of some bigger ones like the - \$5,000 worth of buoy expense every year."

Supervisor Smith: "We use that one up every year. That's the buoy lanes in the Peconic River. It's attended to by Mr. Homan. Maybe you've never been out on the bay when you need them. Several other gentlemen that you sail with are affectionately known as Captain Sandbar and it's the touch method of getting home.

Well one of the ironies of the thing is the State and County say to the lonely little Town of Riverhead those aren't your clams, we can take them any time we please, etc., etc. Yet when we say okay fellows if you, in fact, want to take jurisdiction of such matters, maintain the buoys."

Miss Block: "Will the purchasing Clerk take over the bills?"

Supervisor Smith: "Yes, Ma'am."

Miss Block: This is the nicest thing that has happened to help the Town Clerk's Office in a long time."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:55 P.M.

RESOLUTIONS

RIVERHEAD TOWN POLICE DEPARTMENT AUCTION UNCLAIMED ITEMS 11/26/77

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Riverhead Town Police Department, by Lieutenant Grattan, has notified the Town Board that there are certain items of unclaimed property now posted by the Riverhead Town Police Department and,

WHEREAS, The Riverhead Town Police Department has requested permission to hold a public auction concerning certain items of unclaimed property.

NOW, THEREFORE, be it

RESOLVED, That the described items listed in the Public Notice be sold at a public auction to be held, Saturday, November 26, 1977, at 1:00 P.M. at the Riverhead Town Police Ambulance Garage.

RESOLUTIONS - continuedPUBLIC AUCTION

PLEASE TAKE NOTICE, That a Public Auction will be held at the Riverhead Town Police Ambulance Garage beginning at 1:00 P.M. on Saturday, November 26, 1977, to auction the items of unclaimed property.

PLEASE TAKE FURTHER NOTICE, That only cash, or other legal tender approved by the Riverhead Town Police Department, will be allowed as payment.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

NORTHSIDE ROAD DRAINAGE PROBLEMS - POSSIBLE EASEMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, It has come to the attention of the Town Board that certain drainage problems exist on Northside Road in the Township of Riverhead, and

WHEREAS, The Town Board has spoke to Mr. Edwin Cady concerning the possible acquisition of an easement over his property as a possible remedy to the drainage problem

NOW, THEREFORE, be it

RESOLVED, That the firm of Young & Young is hereby authorized to personally examine the site of the proposed easement and to report in writing to the Town Board as to the best location on said site for the acquisition of an easement to lay a drainage pipe.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "I'm going to give anybody that chooses to address the Town Board an opportunity to speak again, but we've been at it now for an hour and a half and we'll take a seven minute break and we'll be back here at 9:05 P.M."

Supervisor Smith recessed the meeting for seven minutes after which the meeting reconvened at 9:05 P.M.

Supervisor Smith: "It so happens by a quirk of law and or fate or calendars that the next meeting of the Town Board will be within the statutory time limits for action upon the Town Board Budget and it is, therefore, not necessary, Miss Block, to adjourn the meeting to a Special Town Board Meeting date.

The other matter that is left open and that I will address before we get out of here tonight, is the Beverly Hills matter with a resolution similar to those that I have



PERSONAL APPEARANCES

Supervisor Smith continued:  
phrased for Wildwood Acres and Timber Park. This leaves  
unacted upon Midway and Fanning and on Fanning, we're  
waiting for a deed as I recall.

Is there anyone that wishes to address the Town  
Board on a new matter?"

Mrs. Danowski: "I would like to get back to that  
Miss Peters salary."

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "That \$16,000 did I understand you  
correctly - is this included in her salary plus her . . ."

Supervisor Smith: "Fringe benefits."

Mrs. Danowski: "Fringe benefits?"

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "At \$16,000."

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "How much of an increase in salary  
did you give her?"

Supervisor Smith: "She is receiving at the moment  
\$10,000 Ma'am."

Mrs. Danowski: "So in other words, she is getting  
a \$6,000 per year fringe benefits."

Supervisor Smith: "No Ma'am. A proposed salary for  
Miss Peters - Mr. Hansen - 13?"

Jack Hansen: "12."

Supervisor Smith: "12 and the balance would be . . ."

Mrs. Danowski: "In other words she has gotten a  
\$2,000 . . ."

Supervisor Smith: "She hasn't gotten anything yet  
Ma'am."

Mrs. Danowski: "Well she will be getting a \$2,000  
increase . . ."

Supervisor Smith: "If we do the Civil Service work  
and she qualified for appointment and the Town Board at that  
time of her appointment which may or may not be in this year,

PERSONAL APPEARANCES - continued

it may be a subsequent Town Board who chooses to put her in the same position in the salary administration schedule as Mr. Hansen and I have proposed to put her, her salary would be as indicated."

Mrs. Danowski: "The highest salary a Ceta Employee can get is \$9,500. That is Class 5. They start them off with \$5,600."

Supervisor Smith: "All right Ma'am. Why don't you come up and use the microphone and tell us who you are and we'll try to answer your questions."

Mrs. Danowski, Riverhead; "\$5,600 or \$5,400 is the lowest a Ceta Employee gets. The highest which is a Class 5 only gets \$9,400.

Now a welder with a 30-year experience in machinery equipment - a welder, an A-1 license is only classified as a Class 5 at \$9,500. No benefits. No benefits."

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "And I think that salary - it's bad enough we're keeping on an extra helper, but I think that's outrageous. That's more than any man gets.

My husband was sent to the Ceta Program, Allen, after being out of work six months and they wanted to give an A-1 Class License, 30-years machinery and a welder \$5,600."

Supervisor Smith: "You understand Ma'am that . . ."

Mrs. Danowski: "I do - I do understand it. That's federal funds Allen. This is our hard earned money."

Supervisor Smith: "Mrs. Danowski, the Ceta program is not administered by the Town Board of the Town of Riverhead."

Mrs. Danowski: "I understand that is correct. It's a federal fund which the County usually reimburses. I'm very familiar with it. And they only get four days off the first four months they're employed."

Supervisor Smith: "Mrs. Danowski."

Mrs. Danowski: "And we're taking on a full-time employee, right, at \$12,000 plus fringe. You mean she's going to get \$4,000 fringe them."

Supervisor Smith: "Yes Ma'am. Under the Labor Contract that we have with the Civil Service Employees Association that is the approximate ratio of fringe benefits to the salary."

PERSONAL APPEARANCES - continued

Mrs. Danowski: "Well then why don't these men that work on the Highway Department get an equivalency of that?"

Supervisor Smith: "Oh they do."

Mrs. Danowski: "All of Mr. Horton's men get \$12,000 and more?"

Supervisor Smith: "I'll give you a for instance. An automotive equipment operator with five years of experience - this is a truck driver, will be paid next year \$12,247.90."

Mrs. Danowski: "This is A-1 correct classification or just anybody that goes in as a truck driver? Which is it?"

Supervisor Smith: "That's a truck driver."

Mrs. Danowski: "Okay."

Supervisor Smith: "With fringe benefits. A laborer classification after nine years will be paid \$12,200."

Mrs. Danowski: "After nine years?"

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "This is a girl after one year."

Supervisor Smith; "Ma'am may I point out to you that the young lady has four years of college education, has been employed by the Town of Riverhead, and in our judgment has demonstrated her worth in several programs such as the million seven hundred thousand dollars public works grant that we have obtained. I tell you that the Town of Riverhead, to our knowledge, at least it's true for Long Island Area, is the only Town that has gotten every dollar of the public works entitlement that was posted to it.

We picked up a million seven hundred thousand dollars by the use of Mr. Scheiner who is a Community Development Director who's been on since May. He receives approximately \$17,000. He worked for approximately two months on that project - a one thousand dollar summer intern and Miss Peters. Miss Peters in our judgment has earned a place on the Town Payroll."

Mrs. Danowski: "Well I can see where our tax dollars are going. I'll be honest, I think \$4,000 fringe benefits is a lot of money, Allen. I'm sorry. I feel very sorry for those poor people that are on retirement. I think the Town ought to wake up and do something for these people. These poor Senior Citizens that are scraping bottom."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Ma'am you are in a competitive situation. We believe that Miss Peters is talented, has proven her worth and if she is not paid what she is worth, she will go somewhere else. And that will be a loss to this Community."

Mrs. Danowski: "Well if that's what you say, but I think we better start thinking of these poor Senior Citizens that can't make these taxes."

Supervisor Smith: "Ma'am - Mrs. Danowski, among other things, this Board has voted for a rise in the Senior Citizen Exemption for the purposes of taxation. It is another age group in particular, my age group that's picking up that difference."

Mrs. Danowski: "Fine, if you are qualified to pay the taxes."

Supervisor Smith: "The Senior Citizen Exemption Ma'am means that if you are earning less than \$7,200 per annum and you are 65 years of age then at least half or up to half of your total tax bill will be exempted from taxation."

Mrs. Danowski: "Do you know the average family in Riverhead doesn't make a \$10,000 gross?"

Supervisor Smith: "If they happen to be aged ma'am, and they . . ."

Mrs. Danowski: "No these are not aged, Allen. I beg to differ. I'm sorry I work with the public all day. I'm very familiar with it. I've been doing this for 25 years and I think the salaries on some of these are much too high, and I think we have to start thinking of these other people in more ways. Think of the people who aren't Senior Citizens."

Supervisor Smith: "You are suggesting, Mrs. Danowski, that we then let this —"

Mrs. Danowski: "I think the entire —"

Supervisor Smith: "Let me phrase it please. That this young lady with the four years of college education, a year of experience on a federal program not be hired for \$13,000 per annum?"

Mrs. Danowski: "My daughter is a medical student with her license and her registry and my daughter did not start out with that salary."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Nor did that woman."

Mrs. Danowski: "She didn't even start out with \$10,000."

Supervisor Smith: "What was her beginning salary?"

Mrs. Danowski: "And she's registered and she's licensed in the State of New York."

Supervisor Smith: "She began at \$5,500."

Mrs. Danowski: "So then in other words, we gave her more than an increase than what you said. She must have been Class 1 then?"

Supervisor Smith: "\$5,500."

Mrs. Danowski: "Pardon?"

Jack Hansen: "Ceta 6."

Mrs. Danowski: "She was Ceta 6. Ceta 1 was \$5,400."

Jack Hansen: "Ceta 1 pays \$2.30 an hour."

Mrs. Danowski: "The lowest and then with Ceta 2 which was only 6-1 and the next Class was 6-2?"

Supervisor Smith: "Mrs. Danowski, if you'd like a history of the salary — "

Mrs. Danowski: "I think the entire salaries are much too high. I'm sorry."

Supervisor Smith: "That is noted madam and we deal with it under a . . ."

Mrs. Danowski: "This is why you're hiring people that don't even live in this Town. Didn't you get somebody from Rocky Point that you've got a suit now. Answer, am I correct?"

Supervisor Smith: "Yes ma'am."

Mrs. Danowski: "Didn't you hire another stenographer from Mattitick that wasn't even living in here. I think the people that live here should be taken care of first. We're the ones footing the bills, Allen."

Supervisor Smith: "If you will ask one question at

PERSONAL APPEARANCES - continued  
a time, I will give you one answer at a time."

Mrs. Danowski: "Isn't it true you hired someone from out of Riverhead Town? Yes or No?"

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "Isn't it true you also hired somebody from Mattituck?"

Supervisor Smith: "Hang on okay. Let's restore this to some sort of order. We created a position in the Town Clerk's Office of Stenographer. Is that correct Miss Block?"

Miss Block: "Yes."

Supervisor Smith: "It is a Civil Service qualified position. We polled every stenographer on the Townwide list, and we had no acceptors at a salary of \$7,000 plus. No one from Riverhead would take it that was on the list. We are then required by the Civil Service Law of the County of Suffolk to poll the County List. We got down to approximately #27 on that list, and the young lady's name Vickie Vourakis from Sound Beach said two things. She would take the job and she would move to Town. She did not move to Town, we said that we would remove her. She brought a lawsuit. There is a stipulation on Mr. Danowski's desk at this point in time, where the young lady has stipulated that she will be in the Town of Riverhead and establish residency in conformity with the rules of the Town Board of the Town of Riverhead.

The second position that you inquire with reference is the legal stenographer's position in the Town Attorney's Office."

Mrs. Danowski: "Which was not a Civil Service position."

Supervisor Smith: "It most certainly was a Civil Service position, madam. We polled the list with reference to qualified legal stenographers on that list - we got no takers from the Town of Riverhead. We polled the County list and we got no takers. In that situation we are entitled to hire anybody that will take the chance on passing the exam. They obtain what is known as a provisional appointment. If they take the provisional appointment, and they do not pass the exam, they are fired. The young lady that you are inquiring about is a graduate of Bryant College in Rhode Island. She met the basic requirements of the legal stenography exam which is one year of practice as a legal stenographer. She was willing to move to the Town of Riverhead and she was further willing to accept a provisional appointment subject to her taking

PERSONAL APPEARANCES - continued  
the exam for which she maybe fired if she does not pass."

Mrs. Danowski: "She was on list two, then? Don't you have a list one which is already."

Supervisor Smith: "No I won't back up over it. If you want me to explain it to you in person so that you understand it, . . ."

Mrs. Danowski: "So in other words, you have a regular list. One where they have already taken them and the markings. The other is a list where the girls will take the test. Is that right?"

Supervisor Smith: "No ma'am."

Mrs. Danowski: "In other words, she was hired with the understanding she must take the test?"

Supervisor Smith: "She must not only take the test, she must pass the test and score higher than anybody else taking the test."

Mrs. Danowski: "Has she taken the test?"

Supervisor Smith: "She has filed all the necessary paper work to take the exam when it next occurs."

Mrs. Danowski: "And how long has she been on the . . . ?"

Supervisor Smith: "Payroll?"

Mrs. Danowski: "Yes."

Supervisor Smith: "A month - two months. And she's moved to Town."

Mrs. Danowski: "She's moved to Town?"

Supervisor Smith: "Yes Ma'am."

Mrs. Danowski: "There was nobody else in Riverhead that could have qualified?"

Supervisor Smith: "There is no one that came forward to take that position - okay. If you know of a legal stenographer who qualifies to take the exam, they have to go the Hauppauge Department of Civil Service, register, take the exam and if they score higher than this young lady and she is not on the top three, she will be fired and one of the top three will be hired."

PERSONAL APPEARANCES - continued

Mrs. Danowski: "Well how come when you are hiring these employees, that in our local paper as the Supervisor, don't specify or contact the High School of anybody who is interested in taking a Civil Service test?"

Supervisor Smith: "I most certainly did contact the High School."

Mrs. Danowski: "You mean out of both of the schools, there wasn't one applicant that would have taken that test?"

Supervisor Smith: "Ma'am."

Mrs. Danowski: "Was there? I'm just asking?"

Supervisor Smith: "There was not. Okay. I began filing for the legal stenographers position approximately a year ago. Civil Service drives me bananas. It is one of the slowest processes that I've ever been engaged with and Mr. Danowski does not take one stroke of shorthand. And we need somebody to get the work done around here. Not be fiddle faddling around."

Mrs. Danowski: "Mr. Ross hasn't got one student out of a graduating class that takes stenography."

Supervisor Smith: "You don't listen. You must have one year of experience to take the exam. Now if you're good and you got the year of experience, you might not want A) to move to Riverhead and B) take the chance that you're going to be knocked off for the salary of \$8,200 per annum.

We're still on the portion of the agenda where we will listen to anyone?"

John Ottaviano, Highview Drive, Wading River; "You mentioned that resolution. Could you possibly read it or do you intend to?"

Supervisor Smith: "Is there anyone else that chooses to address the Town Board on any other matter before I get onto Beverly Hills?"

Now Mr. Horton this ties into your application for an Open Development Area that may or may not be academic by the acceptance of these roads. Are we still dealing with the situation where your offer stands to give us a deed for the roads? Are you going to oil those roads? Is that your side bet with the . . ."

Alex E. Horton, Supt. of Highways: "Well I don't know what was mentioned - if we have to do it. . ."



PERSONAL APPEARANCES - continued

Supervisor Smith: "Let's take the Highway Superintendent hat off and put that in the chair. I'm talking to Alex Horton, owner. You're going to give us the deed to the drainage area that is shown in the Southwest corner. Now are you going to grade up the roads and oil them as the developer before you took them over or is that now out the window?"

Alex E. Horton, Supt of Highways: "I didn't intend to."

RESOLUTIONA RESOLUTION RELATIVE TO THE ACCEPTANCE OF CERTAIN ROADS IN SUBDIVISIONS OR OPEN DEVELOPMENT AREAS KNOWN AS "BEVERLY HILLS"

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, In the early years of subdivision regulations within the Town of Riverhead, certain areas were designated Open Development Areas with the Town of Riverhead pursuant to the applicable Town Law Sections as then existing, and

WHEREAS, A subdivision and attendant Open Development Area known as Beverly Hills was approved by the several Boards as an Open Development Area, and

WHEREAS, Said Area was permitted by several Boards of the Town of Riverhead to be used and occupied in such a manner as to result in the conditions as the same exist and were found by the Special Deputy Highway Superintendent, Myron C. Young, and

WHEREAS, Certain persons residing and owning property in the subdivision and Open Development Area known as Beverly Hills have petitioned the Town Board for certain waivers of the rules for dedication of roads within the Town of Riverhead and the acceptance of the roads shown on the Beverly Hills subdivision and Open Development Areas, and

WHEREAS, This Board has received the report of Myron C. Young recommending the acceptance of said roads by the granting of waivers to the extent set forth therein, and

WHEREAS, The procedure followed in this matter is in conformity with the dicta of the decision by Mr. Justice Thom in an action entitled "Haugaard vs. Smith",

NOW, THEREFORE BE IT RESOLVED, Subject to the receipt by the Town Clerk of a good and sufficient deed for all roads shown in the subdivision and Open Development Area together with a deed for the drainage area shown in the southwest corner of the Open Development Area together with a deed for the drainage area shown in the southwest corner of the Open Development Area that this Town Board does hereby find that the strict enforcement of the Subdivision regulations would impose certain unnecessary hardships and that waiver of the subdivision regulations is warranted to the extent of accepting said roads in their present conditions, and

## RESOLUTIONS - continued

FURTHER RESOLVED, That said roads are accepted on the proviso that the acceptance of said roads will only require the grading of said roads to existing contours, the filling of potholes, the ordinary application of oil and grits as the same is done on oil and sand as the same is done on other secondary roads within the Town of Riverhead, and the clearing of snow from said roads at this time and said roads shall be maintained in the same manner as all other highways in the Town of Riverhead in the future.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

PERSONAL APPEARANCES

Supervisor Smith: "Does anybody else have anything that they wish to bring before the Board before we adjourn for the day?"

John Ottaviano, Highview Drive, Wading River; "I just wanted to clarify that situation in regard to Tidewoods Roads. At the last Town Board Meeting, it was said that the . . ."

Supervisor Smith: "We said then we have a title report. Since then, we have prepared a deed - Mr. Danowski has prepared a deed, it has been sent on to the Corporation and we are awaiting it's return."

John Ottaviano: "Oh the Corporation was found then?"

Supervisor Smith: "Yes Sir."

John Ottaviano: "Then . . ."

Supervisor Smith: "Hopefully, we will get it back in due course and Mr. Horton said the last time that's the only thing he was waiting for."

There being no further business on motion and vote, the meeting adjourned at 9:51 P.M., to meet on Tuesday, November 15, 1977 at 7:30 P.M.



HMB/vlv

Helene M. Block, Town Clerk